

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF WISCONSIN

In the Matter of:

Jay Schneiss

Debtor.

Chapter 13

Case No 11-26774 PP

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Jay Schneiss has filed papers with the Court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to modify the plan as proposed, or if you want the Court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the Court a written request for hearing which shall contain a plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 East Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to:

Attorney Lorin M. Schuchardt
Affiliated Attorneys, LLC
1126 South 70th Street, Suite N405
Milwaukee, WI 53214

If you or your attorney do not take these steps, the Court may decide that you do not oppose the request and may enter an Order Modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

The Debtor;
 The Chapter 13 Trustee (post-confirmation modifications only);
 The holder of an unsecured claim (Name: _____) (post-confirmation modifications only).

2. This is a request to modify a Chapter 13 Plan (select A or B):

A. Post-confirmation;
B. Pre-confirmation (select i. or ii.);

i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
ii. Debtor(s)/Debtors(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: All creditors

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

Incorporate one-half of his 2010 net tax refunds (\$6,342.00) plus an additional \$125.00 in attorney fees into his plan. Incorporate a provision regarding his adversary proceedings.

4. The reason(s) for the modification is/are:

Debtor does not have the funds available to pay the required one-half of his net tax refunds.

5. Select A or B.

A. The Chapter 13 Plan confirmed or last modified on May 6, 2011 is modified as follows:

Affiliated Attorneys, LLC
1126 South 70th Street, Suite N405
Milwaukee, WI 53214
(414) 277-9088 Fax: (414) 277-9087
affiliatedattorneys@tds.net

B. ____ The unconfirmed Chapter 13 Plan dated _____ is modified as follows:

The Debtor shall add an additional \$6,342.00, his one-half 2010 net tax refund, onto his plan balance. The Debtor shall pay \$225.00 for his plan payment in September, 2011. Starting with his payment in October, 2011, the Debtor shall pay \$375.00 per month for the remainder of his plan. Additional attorneys fees of \$125.00 shall be paid through the plan. PNC Bank, the Debtor's second mortgage holder, shall be treated as a secured claim. The Debtor's third mortgage lien with JPMorgan Chase Bank shall be voided through adversary proceedings.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

WHEREFORE, the Proponent requests that the Court approve the modification to the Chapter 13 Plan as stated herein.

Dated 9 - 8 - 11 at Milwaukee, WI.

AFFILIATED ATTORNEYS, LLC
Attorneys for the Debtor(s)



Lorin M. Schuchardt
State Bar No. 1020144

Affiliated Attorneys, LLC
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Milwaukee, WI 53214
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